

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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MIHAIL TUTUIANU,

Plaintiff,

-against-

UNITED STATES POSTAL SERVICE,

Defendant.  
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TOWNES, U.S.D.J.

**MEMORANDUM  
& ORDER**

03 CV 2905 (SLT) (LB)

Plaintiff Mihail Tutuianu has submitted to this Court objections to the Stipulation and Order of Dismissal with Prejudice proposed by the Government. Plaintiff asks this Court to compel the Government to pay him the \$63.25 that the parties agreed on record to settle the case for without requiring him to sign the proposed stipulation. The Court cannot do as Plaintiff requests, as the Government is entitled to a waiver of liability from Plaintiff in exchange for paying him the agreed upon sum. Plaintiff will not receive any money from the Government unless he signs the proposed stipulation. If Plaintiff chooses not to sign the stipulation, he may move the Court to reopen his case, at which point the parties will need to re-enter settlement negotiations.

**SO ORDERED.**

Sandra L. Townes  
SANDRA L. TOWNES  
UNITED STATES DISTRICT JUDGE

Dated: Brooklyn, New York  
July 21, 2005

C/M